

UNITED STATES DISTRICT COURT  
Northern District of California

DEBORAH MCQUEEN,

No. C 12-2550 MEJ

Plaintiff,

**THIRD ORDER RE: SERVICE**

v.

AMERICAN EXPRESS CENTURION  
BANK,

Defendant.

On October 25, 2012, the Court granted Defendant American Express Centurion Bank's motion to dismiss. Dkt. No. 33. Accordingly, the sole remaining Defendants in this case are Martin Hoffmann, Brian Minh Ngo, and Janet Lorraine Brown. However, based on a statement filed by the individual Defendants, it does not appear that they have been properly served. Specifically, Plaintiff Deborah McQueen served the Defendants directly rather than by someone other than herself, and Plaintiff failed to either obtain a waiver of service from each Defendant or to include the acknowledgment of service form she was required to send along with the First Amended Complaint. Dkt. No. 34. The Court has previously informed Plaintiff of the service requirements in federal court. See Dkt. No. 12. Accordingly, the Court ORDERS Plaintiff to complete service in compliance with Federal Rule of Civil Procedure 4 by December 4, 2012.

As the Court previously informed Plaintiff, for assistance with service requirements, she is encouraged to review the Pro Se Handbook, which can be obtained online at <http://www.cand.uscourts.gov> or in person at the Clerk's Office. The Court directs Plaintiff to Chapter 8, which addresses the rules for serving documents on other parties to the lawsuit. In addition, Plaintiff may wish to seek assistance from the Legal Help Center, a free service of the Volunteer Legal Services Program, either by calling (415.782.9000, extension 8657) or signing up for

1 an appointment on the 15th Floor of the Courthouse, Room 2796, 450 Golden Gate Avenue, San  
2 Francisco, California. At the Legal Help Center, Plaintiff may speak with an attorney who may be  
3 able to provide basic legal help but not legal representation.

4 Plaintiff is hereby informed that this case may be dismissed for failure to prosecute if she does  
5 not comply with the December 4 service deadline.

6 **IT IS SO ORDERED.**

7  
8 Dated: November 14, 2012

9   
10 \_\_\_\_\_  
11 Maria-Elena James  
12 Chief United States Magistrate Judge  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

UNITED STATES DISTRICT COURT  
FOR THE  
NORTHERN DISTRICT OF CALIFORNIA

DEBORAH MCQUEEN,  
Plaintiff,

Case Number: CV12-02550 MEJ

v.

**CERTIFICATE OF SERVICE**

AMERICAN EXPRESS CENTURION BANK et  
al,  
Defendant.

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on November 14, 2012, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Deborah McQueen  
1863 Altair Avenue  
Livermore, CA 94550

Dated: November 14, 2012

Richard W. Wieking, Clerk  
By: Rose Maher, Deputy Clerk